

BEFORE THE DIVISION OF OIL, GAS AND MINING  
DEPARTMENT OF NATURAL RESOURCES  
STATE OF UTAH

---ooOoo---

IN THE MATTER OF A TENTATIVE	:	
DECISION TO APPROVE A MINING	:	NOTICE OF TENTATIVE
AND RECLAMATION PLAN FOR	:	DECISION TO APPROVE
BMW STONE, INCORPORATED,	:	NO. M/043/021
SUMMIT COUNTY, UTAH	:	

—ooOoo—

THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION,  
MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS  
INTERESTED IN SECTION 21, TOWNSHIP 1 SOUTH, RANGE 5 EAST, SLBM, SUMMIT  
COUNTY, UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve the Mining and Reclamation Plan for BMW Stone, Incorporated's Brown's Canyon Rock Quarry mining activities will effect the following area: SW/4 NW/4 and NW/4 SW/4, Section 21, Township 1 South, Range 5 East, SLBM, Summit County, Utah.

BMW Stone, Inc. has submitted a permit application to expand their existing small mining operation to a large mine status. The operator will employ the following mining and reclamation techniques on approximately 9.1 acres of land to be affected by the proposed mining operation.

**During Operations:**

Sandstone is excavated from the ground using a backhoe. Once stone is removed, it is spread out with front end loaders and palletized for sale. Waste material is added to the dump, to be crushed for ground cover (landscape material). All trash and debris is collected and hauled to the county landfill. Warning signs are placed on the crown of the face while mining is in process. There is a fence around the property to keep the public out. The edge of the ephemeral drainage has been lined with large boulders to prevent any impact to this drainage.

**After Operations:**

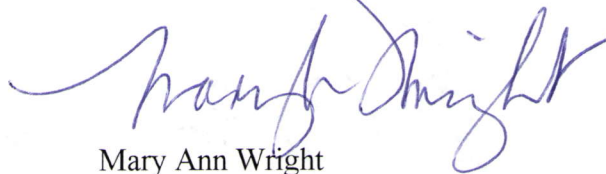
All areas except the access road will be reclaimed. All structures will be removed. All slopes will be regraded to a slope of 3h:1v, or less. There will be no pit or highwall left at the end of mining. Compacted areas will be ripped. One foot of topsoil or other suitable plant growth material will be spread over all disturbed areas (except the access road) and amended with five tons per acre of composted manure. The disturbed area will be broadcast seeded with an approved seed mix that will provide quality cover and forage for grazing and wildlife habitat.

The person representing the company is Mr. Mark Willes, Phone (801) 562-0852. BMW Stone, Inc. is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 28th day of April, 2000.

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING



Mary Ann Wright  
Associate Director of Mining

## CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Approval for BMW Stone, Incorporated's Brown's Canyon Rock Quarry, large mining project to be sent via facsimile, e-mail, or mailed by first class mail, postage prepaid, the 28th day of , April, 2000 to:

FACSIMILE: 237-2776 and  
E-MAIL: NACLEGAL@nacorp.com  
Salt Lake Tribune  
Legal Advertising  
116 Regent Street  
P.O. Box 45838  
Salt Lake City, Utah 84145

FACSIMILE: (435) 649-4942 AND  
E-MAIL: production@parkrecord.com  
The Park Record  
1670 Bonanza Drive  
P.O. Box 3688  
Park City, Utah 84060-3688

FACSIMILE: (435) 654-5085 and  
E-MAIL: editor@wasatchwave.com  
Summit County Bee  
165 South 100 West  
P.O. Box 128  
Heber City, Utah 84032-3040

Devlon Wurth  
Rock Products of Utah, Inc.  
843 South Main  
Heber City, Utah 84032

D & D Cooradt  
(address not listed in notice - notified operator to  
supply address)

Ken Garff  
(address not listed in notice - notified operator to  
supply address)

  
Joelle Burns, Secretary

m43-21-pn

CERTIFIED RETURN RECEIPT  
P 074 976 833  
Mark Willes  
BMW Stone, Incorporated  
7125 South 300 East  
Salt Lake City Utah 84047

Ms. Leslie Burns  
Summit County Planner  
627 South Main  
P.O. Box 128  
Coalville, Utah 84017